

HOUSE RESEARCH

Bill Summary

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Overview

Permits an owner of property that is subject to an easement that was acquired by condemnation through eminent domain to seek a court order for discharge of a portion of the easement that is not being used.

- 1 Easement discharge.** Current law permits an owner of real estate that is subject to an easement acquired through eminent domain to obtain a court order eliminating the easement if the easement is not being used for its original purpose. This bill would expand that concept to also permit a court order to eliminate only an unused portion of the easement on the same basis, except that an application for discharge of a partial easement is not permitted sooner than five years after the easement is granted. Exempts portions of easements acquired by a public service corporation for purposes other than those stated in the current law.
- 2 Discharge of portion of easement; Douglas County.** Permits the full or partial discharge of an easement existing in Douglas County that meets specified criteria as stated in the bill.